

Application No. 09/252,326  
Attorney Docket No. 98-906 RCE 1

### **REMARKS**

By this amendment, Applicant amends the specification to conform the specification to the drawings as originally filed. Applicant also amends claims 1, 6, 10 and 17-26. Claims 1-26 remain pending in this Application. No new matter has been added.

Applicant has amended claims 1,6,10 and 17-26 on its own review of the application in order to correct minor grammatical, typographic and descriptive errors. Applicant's amendments in this regard are not in response to any rejection by the Examiner, and are not intended to limit the scope of the claims.

In the Office Action dated May 10, 2004, the Examiner: (1) rejected claims 1, 4, 6, 11, 12, 17 and 20\* under 35 U.S.C. § 102(e) as anticipated by Dewkett et al. (U.S. Patent No. 5,646,676); (2) rejected claims 2, 18 and 26 as unpatentable over Dewkett et al. in view of Ehreth (U.S. Patent No. 6,286,142); (3) rejected claims 3, 5, 10, 13, 15, 16, 19, 23 and 24 as unpatentable over Dewkett et al. in view of Banks (U.S. Patent No. 6,139,197); (4) rejected claims 7-9, 21 and 22 as unpatentable over Dewkett et al. in view of Hluchyj (U.S. Patent No. 6,151,325); and (5) rejected claims 14 and 25 as unpatentable over Dewkett et al. in view of Banks and Cannon et al. (U.S. Patent No. 6,014,706).

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\* Although claim 20 is listed on the form PTOL-326 that accompanied the Office Action as being rejected, it is not further mentioned in any statement of rejection. Because claim 20 contains language similar to claim 4, Applicant assumes that the Examiner intended to reject claim 20 under the same grounds as claim 4, i.e., under 35 U.S.C. § 102(e) as anticipated by Dewkett et al. However, Applicant respectfully requests that the Examiner clarify the intended grounds for the rejection of claim 20 in the next Office Action.

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Based on the foregoing amendments and the following remarks, Applicant respectfully traverses each of these rejections. Each section of the outstanding Office Action is addressed below.

***Claim Rejections – 35 U.S.C. § 102***

Claims 1, 4, 6, 11, 12, 17 and 20 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by Dewkett et al. Applicant traverses this rejection because Dewkett et al. fails to show each and every recitation of the rejected claims. For example, claim 1, as amended, recites (among other things), “a massively parallel video server that includes: a set of storage devices; and a plurality of processors configured to stream a plurality of video streams from one or more video titles stored in said set of storage devices, the plurality of processors each having concurrent access to the set of storage devices for concurrently streaming the plurality of video streams.” Likewise, claim 17 has been amended to recite (among other things) “providing a massively parallel video server that includes: a set of storage devices; and a plurality of processors configured to stream a plurality of video streams from one or more video titles stored in said set of storage devices, the plurality of processors each having concurrent access to said set of storage devices for concurrently streaming the plurality of video streams.” In the Office Action, the Examiner asserts that CPUs 101 of Dewkett et al. have concurrent access to disks 107 (Office action, § 2, II. 6-13). However, Dewkett et al. actually states that the “CPUs [101] of the host system are not used for [multimedia] data transmission” (Dewkett et al., col. 10, II. 4-5), and thus are not “configured to stream” video.

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Further, although Dewkett et al. describes multimedia controller (MMC) processors 401 that control movie data transmission (Dewkett et al., col. 16, l. 48), Dewkett et al. does not disclose that a plurality of these processors each have "concurrent access to the set of storage devices." Instead, each MMC processor 401 is described as having access only to those disks 107 that are connected to the disk adapters 303 controlled by the individual MMC processor 401 (see Dewkett et al., Figures 3 and 4 and col. 4, ll. 41-44).

For at least these reasons, Dewkett et al. does not teach each and every recitation of claims 1 and 17. Accordingly, Applicant respectfully requests that the rejection of these claims under 35 U.S.C. § 102(e) be withdrawn and the claims allowed.

Claims 4, 6, 11, 12 and 20 depend from one of claims 1 and 17. As explained, claim 1 is distinguished from Dewkett et al. Accordingly, claims 4, 6, 11, 12 and 20 are distinguished from Dewkett et al. for at least the same reasons as those set forth for claims 1 and 17, and Applicant respectfully requests that the rejection of these claims under 35 U.S.C. § 102(e) be withdrawn and the claims allowed.

#### ***Claim Rejections – 35 U.S.C. § 103***

Claims 2, 18 and 26 are rejected as allegedly unpatentable over Dewkett et al. in view of Ehreth. Claims 2, 18 and 26 depend, directly or indirectly, from one of claims 1 and 17. As explained, claims 1 and 17 are distinguished from Dewkett et al. Moreover, Ehreth is not relied upon to teach, and in fact does not teach the above-noted deficiencies of Dewkett et al. Accordingly, for at least these reasons, Dewkett et al. and

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Ehreth, taken alone or in combination, do not teach or suggest the recitations of claims 2, 18, and 26, and Applicant respectfully submits that the rejection of these claims under 35 U.S.C. § 103(a) should be withdrawn and the claims allowed.

Claims 3, 5, 10, 13, 15, 16, 19, 23 and 24 are rejected as allegedly unpatentable over Dewkett et al. in view of Banks. These claims depend, directly or indirectly, from one of claims 1 and 17. However, claims 1 and 17 are distinguished from Dewkett et al., for at least the reasons set forth above, and Banks does not cure the cited deficiencies of Dewkett et al. Further, in the rejection of claim 16, Banks is relied upon to teach the use of data in HTML format. However, contrary to the Examiner's assertions, Applicant can find no reference to HTML in Banks, either in the cited portions thereof or anywhere else. For at least these additional reasons, neither Dewkett et al. nor Banks, nor their combination, teach all of the recitations of claims 3, 5, 10, 13, 15, 16, 19, 23 and 24. Accordingly, Applicant respectfully requests that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

Claims 7-9, 21 and 22 are rejected as allegedly unpatentable over Dewkett et al. in view of Hluchyj. Claims 7-9, 21 and 22 depend from one of claims 1 and 17. As explained, claims 1 and 17 are distinguished from Dewkett et al. Further, Hluchyj is not relied upon to teach, and does not teach the above-noted deficiencies of Dewkett et al. Consequently, the rejection of claims 7-9, 21 and 22 is not supported by Dewkett et al. or Hluchyj, whether taken alone or in combination, and Applicant respectfully requests that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

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Claims 14 and 25 are rejected as allegedly unpatentable over Dewkett et al. in view of Banks and Cannon et al. However, these claims depend from claims 3 and 19, respectively. As explained, claims 3 and 19 are distinguished from Dewkett et al. in view of Banks. Moreover, Cannon et al. does not supply the deficiencies of Dewkett et al. and Banks discussed above. Thus, for at least these reasons, Dewkett et al., Banks, and Cannon et al., taken alone or in any combination, fail to teach or suggest the recitations of claims 14 and 25, and Applicant respectfully requests that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn and the claims allowed.

### **Conclusion**

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 07-2347 and please credit any excess fees to such deposit account.

Respectfully submitted,

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